

ORDINANCE O2015-010

AN ORDINANCE of the City Council of the City of Tumwater, Washington, amending Chapter 14.06 of the Tumwater Municipal Code related to public notice requirements (amending Ordinance No. 096-044).

WHEREAS, it has come to the attention of the City Council that certain provisions within Chapter 14.06 reference the location where notices will be posted which is obsolete or inconsistent with statutory requirements and should be amended; and

WHEREAS, the deletion of this reference does not reduce the notice to be provided to the public or requirements of the City to provide notice.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TUMWATER, STATE OF WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Section 14.06.070 of the Tumwater Municipal Code is hereby amended to read as follows:

14.06.070 Notice of open record hearing.

Notice of a public hearing for all development applications and all open record appeals shall be given as follows:

A. Time and Form of Notices. Except as otherwise required, public notification of meetings, hearings, and pending actions under TMC Titles 14 through 18 shall be made at least ten days before the date of the public meeting, hearing, or pending action by:

1. Publication in the official newspaper if one has been designated or a newspaper of general circulation in the city; and
2. Mailing to all owners of property as listed on the records of the Thurston County assessor within three hundred feet of the boundaries of property which is the subject of the meeting, hearing, or pending action. The director may extend notification beyond three hundred feet in cases where the area notified does not provide adequate notice to neighbors affected by the pending action. Addressed, prestamped envelopes shall be provided by the applicant; and
3. Posting in three public places ~~where ordinances are posted~~ and at least one notice on the subject property; and

4. Whenever practical, the director shall utilize additional forms of notice including, but not limited to:

a. Publication on one or more computer networks or computer bulletin boards generally accessible to the public or affected agencies, and

b. Presentation on one or more radio or television bulletin boards or similar media commonly used for public notices or announcements.

B. Content of Notice. The public notice shall include:

1. The address and location, and/or a vicinity map or sketch of the property which is the subject of the public hearing; and

2. The date, time, location, and purpose of the public hearing; and

3. A general description of the proposed project or action to be taken; and

4. A place where further information about the hearing may be obtained.

Furthermore, the public notice shall be written in a form and use words easily understood by the general public. Any technical terms or complex legal phrases should either be avoided or restated in commonly understood language.

C. Continuations. If, for any reason, a meeting or hearing on a pending action cannot be completed on the date set in the public notice, the meeting or hearing may be continued to a date certain and no further notice under this section is required.

(Ord. O96-004, Added, 04/16/1996)

Section 2. Corrections. The City Clerk and codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 3. Ratification. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and affirmed.


Section 4. Severability. The provisions of this ordinance are declared separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance or the invalidity of the application

thereof to any person or circumstance, shall not affect the validity of the remainder of the ordinance, or the validity of its application to other persons or circumstances.

Section 5. Effective Date. This ordinance shall become effective thirty (30) days after passage, approval and publication as provided by law.

ADOPTED this 20th day of October, 2015.

CITY OF TUMWATER



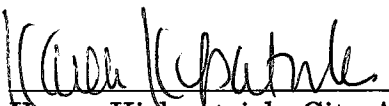
Pete Kmet, Mayor

ATTEST:



Melody Valiant, City Clerk

APPROVED AS TO FORM:



Karen Kirkpatrick, City Attorney

Published: 10-22-2015

Effective Date: 11-21-2015